

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TROY TINGLEY,

Plaintiff,

Case No. 1:20-cv-94

v.

Hon. Hala Y. Jarbou

STATE OF MICHIGAN, et al.,

Defendants.

ORDER

On April 20, 2021, Magistrate Judge Sally J. Berens issued a Report and Recommendation (R&R) recommending that State Defendants' Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 53) be granted and that the federal-law claims against the State Defendants be dismissed. It is further recommended that the Court decline to exercise supplemental jurisdiction over the state-law claims. Finally, it is recommended that the Court order Plaintiff to show cause why the Court should not exercise its discretion not to enter default judgments against defaulted Defendants Shackleton and Luster (ECF No. 72). The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so expired on May 4, 2021. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly:

IT IS ORDERED that the R&R (ECF No. 72) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that the State Defendants Robert Gordon, Herman McCall, JooYeun Chang, Tracey Fountain, Savator Selden-Johnson, Scott Orr, Nyela Bolden, Jeremy Novosad, Matt Kuzma, Keri Desmarais, Daniel Kuchan, and Shelbie Williams' Motion to Dismiss

(ECF No. 53) is **GRANTED** and the federal claims as to those Defendants are **DISMISSED** with prejudice.

IT IS FURTHER ORDERED that the state-law claims against the foregoing Defendants are **DISMISSED** as the Court declines to exercise supplemental jurisdiction over them.

IT IS FURTHER ORDERED that Plaintiff is to show cause, no later than **May 20, 2021**, why the Court should not decline to enter default judgments against Defendants Luster and Shackleton and dismiss the claims against them with prejudice.

Date: May 6, 2021

/s/ Hala Y. Jarbou
HALA Y. JARBOU
UNITED STATES DISTRICT JUDGE